

ATTORNEY DOCKET NO.  
020431.0662

APPLICATION NO.  
09/510,607

#10  
KRM  
12-20-01

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Brian M. Kennedy  
Serial No.: 09/510,607  
Filed: February 22, 2000  
Group No.: 2166  
Examiner: Alexander Kalinowski  
For: *System and Method for Managing ATP*

Honorable Assistant Commissioner  
of Patents  
Washington, D.C. 20231

Dear Sir:

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION (37 C.F.R. § 1.321 (c)) AND  
CERTIFICATE UNDER 37 C.F.R. § 3.73 (b)

I, Robert C. Donohoo, Vice President of i2 Technologies US, Inc. 11701 Luna Road, Dallas, Texas 75234, represent that i2 Technologies US, Inc. is the assignee and the exclusive owner of the entire right, title and interest of, in and to application Serial No. 09/510,607, filed on February 22, 2000, for *System and Method for Managing ATP*, as indicated by the Assignment Records of the U.S. Patent and Trademark Office at Reel 012033, Frame 0340; that to the best of assignee's knowledge and belief, title is in the assignee seeking to take action; and that I am empowered to act on behalf of assignee.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

i2 Technologies US, Inc. hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No. US 6,188,989 B1 granted February 13, 2001, also assigned to and owned by i2 Technologies US, Inc. as indicated by the Assignment Records of the U.S. Patent and Trademark Office at Reel 012025 , Frame 0095 , and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. US 6,188,989 B1, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

i2 Technologies US, Inc. does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term of the above-referenced U.S. Patent No. US 6,188,989 B1, in the event that one or more of the following occurs: U.S. Patent No. US 6,188,989 B1 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,

11-30-01

Date



Robert C. Donohoo,  
Vice President & General Counsel  
i2 Technologies US, Inc.